

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

ePLUS, INC.,

Plaintiff,

v.

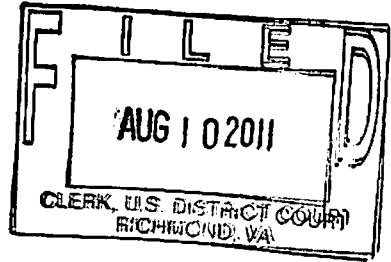
Civil Action No. 3:09cv620

LAWSON SOFTWARE, INC.,

Defendants.

ORDER

Having reviewed PLAINTIFF ePLUS INC.'S RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW OF DIRECT AND INDIRECT INFRINGEMENT PURSUANT TO FED. R. CIV. P. 50(B) OR, IN THE ALTERNATIVE, FOR A NEW TRIAL PURSUANT TO FED. R. CIV. P. 59 (Docket No. 755), the supporting memorandum, the response and the reply, and finding that both motions in essence depend upon a finding that the expert testimony given by the defendant's expert, Dr. Shamos, is in conflict with that of the plaintiff's expert, Dr. Weaver, and further finding that had it been the finder of the fact, the Court would have accepted Dr. Weaver's version of the evidence and decided the case accordingly, and further finding that there is substantial evidence of that which will support the jury's verdict, and further finding that there is no basis upon which to order a new trial, it is hereby ORDERED that PLAINTIFF ePLUS INC.'S RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW OF DIRECT AND INDIRECT INFRINGEMENT PURSUANT TO FED. R. CIV. P. 50(B) OR, IN THE ALTERNATIVE, FOR A NEW TRIAL PURSUANT TO FED. R. CIV. P. 59 (Docket No. 755) is denied.



It is further ORDERED that the facts and legal contentions are adequately presented in the materials before the Court and oral argument would not aid the decisional process.

It is so ORDERED.

/s/

REP

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: August 9, 2011